

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Cameron (Reg. # 50,298) on 4/13/2009.

The application has been amended as follows:

**Claim 16 has been cancelled.**

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, filed 1/19/2009, with respect to the rejection based on have been fully considered and are persuasive. The applicant has cited criticality in the application for the choice of width/length ratio of the transistors in the amplifying means and in the tail current source, as claimed. The rejection of amended claim 1 (formerly claim 12), has been withdrawn and reasons for allowance are given below.

### ***Allowable Subject Matter***

Claims 1-4, 6, 7, 13-15 and 17-22 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding **claim 1**, neither Sauer, Bezhad, nor any other reference of record discloses or fairly suggests, "wherein the width-over-length ratio of the transistors of the amplifying means is at least 3 times the width-over-length ratio of the transistors of the tail-current source and the width-over-length ratio of a second transistor pair of the load is at least 3 times the size of the width-over-length ratio of a first transistor pair of the load." These limitations are not simply a design choice because applicant has cited relevant parts of the specification (ex. lines 20-30 of page 16) which recognizes criticality in choosing the claimed device values and thus overcomes the prima facie design-choice based obviousness. The specification recognizes criticality in sizing the

Art Unit: 2817

transistors to a few integer multiples of the minimum channel length, to ultimately set the appropriate noise level.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES E. GOODLEY whose telephone number is (571)272-8598. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on (571)272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2817

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James E Goodley/  
Examiner, Art Unit 2817

/Robert Pascal/  
Supervisory Patent Examiner, Art Unit 2817